
By: **Senators Hollinger, Gladden, Kelley, and Teitelbaum**
Introduced and read first time: February 20, 2004
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Chore and Companion Service Agencies - Registration**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
4 certain regulations relating to chore and companion service agencies; requiring
5 that the regulations provide for certain registrations, background checks, and
6 surety bonds; requiring the Department to register certain individuals;
7 requiring certain chore and companion service agencies to conduct certain
8 background checks and maintain certain surety bonds; prohibiting an individual
9 who is not registered under this Act from operating, attempting to operate, or
10 holding one's self out as operating certain chore and companion service agencies;
11 providing for certain penalties; defining certain terms; and generally relating to
12 the registration of chore and companion service agencies.

13 BY adding to

14 Article - Health - General
15 Section 19-4B-01 through 19-4B-06, inclusive, to be under the new subtitle
16 "Subtitle 4B. Chore and Companion Service Agencies"
17 Annotated Code of Maryland
18 (2000 Replacement Volume and 2003 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Health - General**

22 **SUBTITLE 4B. CHORE AND COMPANION SERVICE AGENCIES.**

23 19-4B-01.

24 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (B) "CHORE AND COMPANION SERVICES" MEANS:

27 (1) HOME MANAGEMENT;

1 (2) MEAL PLANNING AND PREPARATION;

2 (3) SHOPPING; AND

3 (4) OTHER HOUSEHOLD-RELATED ERRANDS.

4 (C) "CHORE AND COMPANION SERVICE AGENCY" MEANS AN AGENCY THAT
5 REFERS INDIVIDUALS TO THE HOME OF A SICK OR DISABLED INDIVIDUAL TO
6 PERFORM CHORE AND COMPANION SERVICES.

7 19-4B-02.

8 (A) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT SET STANDARDS
9 FOR THE CARE, TREATMENT, HEALTH, SAFETY, WELFARE, AND COMFORT OF
10 INDIVIDUALS WHO RECEIVE CHORE AND COMPANION SERVICES THROUGH A CHORE
11 AND COMPANION SERVICE AGENCY.

12 (B) THE REGULATIONS SHALL PROVIDE FOR:

13 (1) THE REGISTRATION OF CHORE AND COMPANION SERVICE
14 AGENCIES;

15 (2) CRIMINAL BACKGROUND CHECKS; AND

16 (3) SURETY BONDS.

17 19-4B-03.

18 THE DEPARTMENT SHALL REGISTER AN INDIVIDUAL BEFORE THE INDIVIDUAL
19 MAY OPERATE A CHORE AND COMPANION SERVICE AGENCY.

20 19-4B-04.

21 A CHORE AND COMPANION SERVICE AGENCY SHALL:

22 (1) CONDUCT CRIMINAL BACKGROUND CHECKS OF THE INDIVIDUALS IT
23 REFERS; AND

24 (2) MAINTAIN A SURETY BOND IN THE FORM AND AMOUNT
25 DETERMINED BY THE DEPARTMENT THROUGH REGULATION.

26 19-4B-05.

27 AN INDIVIDUAL MAY NOT OPERATE, ATTEMPT TO OPERATE, OR HOLD ONE'S
28 SELF OUT AS OPERATING A CHORE AND COMPANION SERVICE AGENCY, UNLESS THE
29 INDIVIDUAL IS REGISTERED UNDER THIS SUBTITLE.

30 19-4B-06.

31 (A) AN INDIVIDUAL WHO OPERATES A CHORE AND COMPANION SERVICE
32 AGENCY WITHOUT A REGISTRATION OR IN VIOLATION OF THE REGULATIONS

1 ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON
2 CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE
3 AND NOT EXCEEDING \$10,000 FOR EACH SUBSEQUENT OFFENSE.

4 (B) EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS
5 A SEPARATE OFFENSE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2004.